

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

JOSHUA ADAM PHILLIPS,

Plaintiff,

vs.

MONTANA STATE PRISON; JAMES
SALMONSEN,

Defendants.

Cause No. CV 22-49-H-SEH

ORDER

Plaintiff Joshua Adam Phillips (Phillips) filed this action on June 20, 2022, alleging violations of his civil rights.¹ On July 28, 2022, the Court dismissed the complaint for failure to state a claim and directed Phillips to file an Amended Complaint within 30 days.²

Docket entries 8 and 9 were sent to Phillips on August 5, 2022.³ Both were returned as undeliverable.⁴ On August 12, 2022, docket entries 8 and 9 were again sent to Phillips but again were returned as undeliverable.⁵

The deadline to file an amended complaint expired on August 29, 2022.

¹ Doc. 2.

² Doc. 8 at 3.

³ Doc. 10.

⁴ Doc. 10.

⁵ Doc. 11.

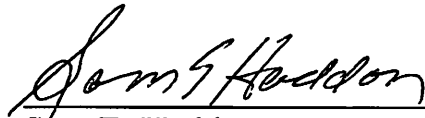
None was filed.

ORDERED:

1. The case is DISMISSED for failure to file an amended complaint as ordered by the Court.

2. The Court CERTIFIES that any appeal from such disposition would not be taken in good faith. This dismissal counts as a strike under 28 U.S.C. § 1915(g).⁶

DATED this 16th day of September, 2022.

A handwritten signature in black ink, appearing to read "Sam E. Haddon", is written over a horizontal line.

Sam E. Haddon
United States District Court Judge

⁶ *Harris v. Mangum*, 863 F.3d 1133, 1142–43 (9th Cir. 2017).